



City of La Quinta

CITY / SA / HA / FA MEETING DATE: December 2, 2014

ITEM TITLE: SECOND READING AND ADOPTION OF ORDINANCE NO. 522 APPROVING ZONE CHANGE 2014-146, REZONING PROPERTY LOCATED AT 51-351 AVENIDA BERMUDAS

AGENDA CATEGORY:

BUSINESS SESSION:

CONSENT CALENDAR: 3

STUDY SESSION:

PUBLIC HEARING:

RECOMMENDED ACTION:

Adopt Ordinance No. 522 on second reading.

EXECUTIVE SUMMARY:

- At the November 18, 2014 City Council meeting, Council approved a motion to take up and introduce Ordinance No. 522, which approves a zone change for property located at 51-351 Avenida Bermudas from "major community facility" to "village commercial."
- As ordinances cannot be adopted within five days of introduction, the adoption is done at a second reading.
- This second reading will approve and adopt the zone change with Ordinance No. 522 added to the City's Municipal Code, which will take effect January 1, 2015.

FISCAL IMPACT:

None.

BACKGROUND/ANALYSIS:

The subject property was owned by the City and used as a police substation. Earlier this year, the City sold the property to an individual who is now using it as an office. The proposed amendments will facilitate the current use of the property as office or retail space and be compatible with the surrounding land uses and designations.

ALTERNATIVES:

As Council approved this ordinance at first reading, staff does not recommend an alternative.

Report prepared by: Pam Nieto, Administrative Technician

Report approved for submission by: Susan Maysels, City Clerk

ORDINANCE NO. 522

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF LA QUINTA, CALIFORNIA, APPROVING ZONE
CHANGE 2014-146, REZONING PROPERTY LOCATED
AT 51351 AVENIDA BERMUDAS**

**CASE: ZONE CHANGE 2014-146
APPLICANT: CITY OF LA QUINTA
CEQA: SECTION 15061(b)(3) REVIEW FOR EXEMPTIONS – GENERAL RULE**

WHEREAS, the City Council of the City of La Quinta, California did, on the 18th day of November, 2014, hold a duly noticed public hearing for review of a City-initiated request to consider a Zone Change from Major Community Facilities to Village Commercial, for property located at 51351 Avenida Bermudas, within the Village at La Quinta and identified in attached Exhibit "A," more particularly described as:

LOTS 5 AND 6, BLOCK 134, SANTA CARMELITA AT VALE LA QUINTA, UNIT 14
– MB 018/082 - APN: 773-104-017

WHEREAS, the Planning Commission of the City of La Quinta did, on the 26th day of August, 2014, hold a duly noticed Public Hearing to consider the aforementioned Zone Change; and,

WHEREAS, subsequent to said Public Hearing, the Planning Commission of the City of La Quinta did adopt Planning Commission Resolution 2014-023 to recommend to the City Council adoption of said Zone Change; and,

WHEREAS, said Zone Change has complied with the requirements of "The Rules to Implement the California Environmental Quality Act of 1970" as amended (Resolution 83-68), in that the La Quinta Community Development Director has determined that the Zone Change is exempt from CEQA review pursuant to Section 15061 (b)(3), Review for Exemptions – General Rule; and,

WHEREAS, at said Public Hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons wanting to be heard, the La Quinta City Council did make the following mandatory findings to justify adoption of said Zone Change:

Finding A - The Zone Change is consistent with the General Plan.

The proposed Zone Change is consistent with the goals, objectives and policies of the La Quinta General Plan. The Village Commercial zoning designation proposed

will not significantly change the type or intensity of land use that could be proposed for the site in the future.

Finding B - Approval of the Zone Change will not create conditions materially detrimental to the public health, safety and general welfare.

The proposed change will not result in a substantial change to existing recreational areas, will not result in the loss of existing wildlife habitat, nor will it have an effect on the conditions of the existing surrounding neighborhood. The site was originally developed with a residential structure, which has been used as office space since 2002. No change in the current use is proposed, and any future uses permitted under the Village Commercial land use would be consistent with existing surrounding residential and commercial land uses. The proposed Zone Change will not result in any changed conditions and will therefore have no effect on the health, safety, and welfare of the community or surrounding natural environment.

Finding C - The new zoning is compatible with the zoning designations on adjacent properties.

The Zone Change will allow use of the property as office and commercial space. Residential and commercial properties exist adjacent to the site, and these uses are compatible. Further, the Village Commercial zoning district allows residential and commercial development through a Village Use Permit process, which would assess and mitigate any future proposed uses.

Finding D - The new zoning designation is suitable and appropriate for the subject property.

The Village Commercial zoning designation allows residential and commercial land uses, which are suitable with the surrounding uses.

Finding E - Approval of the Zone Change is warranted because the situation and general conditions of the property have substantially changed since the existing designation was imposed.

The Village Commercial land use designation is warranted as the existing land use has changed from a public ownership and service facility (police substation) to private ownership with a traditional commercial land use. Village Commercial land uses are generally suitable and compatible with the existing surrounding area.

NOW, THEREFORE, the City Council of the City of La Quinta does ordain as follows:

SECTION 1. The La Quinta Official Zoning Map is hereby amended by rezoning the properties as depicted on the map attached hereto as Exhibit "A," and made a part

of this Ordinance.

SECTION 2. ENVIRONMENTAL: A review for exemption was conducted under the California Environmental Quality Act (CEQA). The Community Development Department determined that the proposed Zone Change is exempt from environmental review under CEQA, pursuant to Section 15061(b)(3), Review for Exemptions of the CEQA Guidelines, in that it can be seen with certainty that there is no possibility for these actions to have a significant effect on the environment.

SECTION 3. EFFECTIVE DATE: This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 4. POSTING: The City Clerk shall, within 15 days after passage of this Ordinance, cause it to be posted in at least three public places designated by resolution of the City Council, shall certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting to be entered into the Book of Ordinances of the City of La Quinta.

PASSED, APPROVED and ADOPTED at a regular meeting of the La Quinta City Council held this 2nd day of December, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DON ADOLPH, Mayor
City of La Quinta, California

ATTEST:

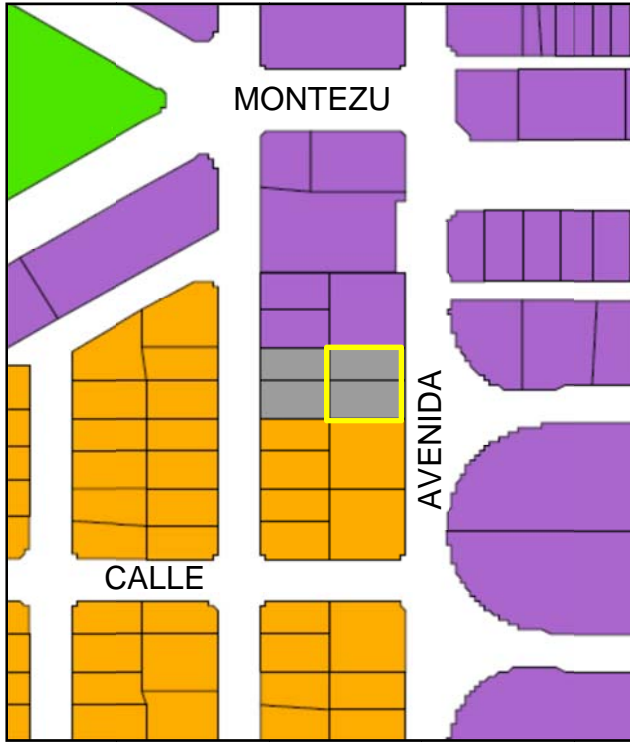
SUSAN MAYSELS, City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:

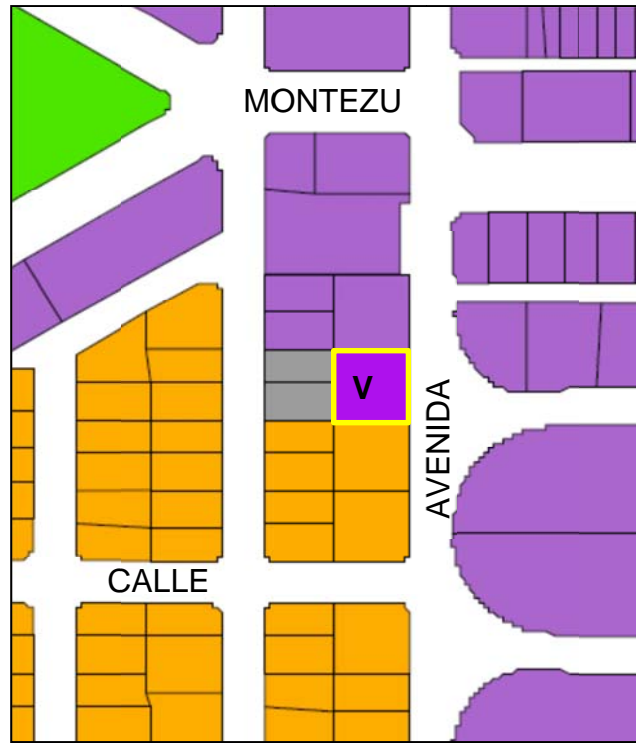
WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

EXHIBIT "A"
ZONE CHANGE 2014-146
ORDINANCE # 522



**CURRENT ZONING
DESIGNATION:
MAJOR COMMUNITY
FACILITIES**

**PROPOSED ZONING
DESIGNATION:
VILLAGE COMMERCIAL**



STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LA QUINTA)

I, SUSAN MAYSELS, City Clerk of the City of La Quinta, California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. 522 which was introduced at a regular meeting on the 18th day of November, 2014, and was adopted at a regular meeting held on the 2nd day of December, 2014 not being less than 5 days after the date of introduction thereof.

I further certify that the foregoing Ordinance was posted in three places within the City of La Quinta as specified in the Rules of Procedure adopted by City Council Resolution No. 2014-013.

SUSAN MAYSELS, City Clerk
City of La Quinta, California

DECLARATION OF POSTING

I, SUSAN MAYSELS, City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on December 3, 2014, pursuant to Council Resolution.

SUSAN MAYSELS, City Clerk
City of La Quinta, California

